

# Certifications

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## **Certification — Debarment, Suspension, and Other Responsibility Matters**

The grantee and subrecipients must not make any award or permit any award (subgrant or contract) at any tier to any party that is debarred or suspended or is otherwise excluded from or ineligible for participation in federal assistance programs (45 CFR Part 76).

A. As the duly authorized representative of the grantee, I certify, to the best of my knowledge and belief, that neither the grantee nor its principals:

- is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
- has, within a three-year period preceding this award, been convicted of, or had an adverse civil judgment entered in connection with, fraud or other criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
- is not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated above, and
- has not, within a three-year period preceding this application, had one or more public transactions (federal, state or local) terminated for cause or default;

B. If you are unable to certify to any of the statements in this certification, you must attach an explanation to this application.

C. The grantee agrees by submitting this proposal that it will include, without modification, the clause titled “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions” in all lower tier covered transaction (i.e., subcontracts for financial assistance and subcontracts for goods and services) in accordance with 45 CFR Part 76. That clause reads: “(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by and Federal department or agency. (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.”

## **Certification—Drug -Free Workplace**

This certification is required under the laws of the State of California implementing the Drug-Free Workplace Act of 1990 (California Government Code Section 8350 et seq.). The regulations require certification by grantees, prior to award, that they will maintain a drug-free workplace.

As the duly authorized representative of the grantee, I certify, to the best of my knowledge and belief that the grantee will provide a drug-free workplace by:

- A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- B. Establishing a drug-free awareness program to inform employees about—
  - the dangers of drug abuse in the workplace,
  - the grantee's policy of maintaining a drug-free workplace,
  - any available drug counseling, rehabilitation, and employee assistance programs, and
  - the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- C. Making it a requirement that each employee to be engaged in the performance of the grant will—
  - receive a copy of the agency's drug-free workplace policy statement; and
  - agree to abide by the terms of the statement as a condition of employment under the grant.

Failure to comply with these requirements may result in the suspension of payments under the agreement or termination of the agreement, or both, and grantee, subcontractor, or subcontractor may be ineligible for award of any future state agreements if the Department of Alcohol and Drug Programs determines that any of the following have occurred: (1) the grantee, subawardee, contractor, or subcontractor has made a false certification, or violated the certification by failing to carry out the requirements as noted above.

## **Certification -Lobbying Activities**

As required by Title 31, USC, Section 1352, as the duly authorized representative of the grantee, I certify, to the best of my knowledge and belief, that:

- A. No federal appropriated funds have been paid or will be paid, by or on behalf of the grantee, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress in connection with the awarding of any federal contract, the making of any federal loan, the entering into of any cooperative

agreement, or modification of any federal contract, grant, loan, or cooperative agreement;

- B. If any funds other than federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the grantee will submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
- C. The grantee will require that the language of this certification be included in the award documents for all subcontracts at all tiers (including subcontracts, subgrants, and contracts under grants, loans and cooperative agreements) and that all subrecipients will certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### **Certification –Program Fraud Civil Remedies Act (PFCRA)**

I certify that the statements herein are true, complete, and accurate to the best of my knowledge, and that I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. I agree that the grantee organization will comply with the terms and conditions of award if a grant is awarded as a result of this application.

#### **Certification –Controlled Substances**

Grantees are prohibited from knowingly using appropriated funds to support activities that promote the legalization of any drug or other substance included in Schedule I of the schedule of controlled substances established by section 202 of the Controlled Substances Act, 21 U.S.C. 812. This limitation does not apply if the recipient notifies the GMO that there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

If controlled substances are proposed to be administered as part of a research protocol or if research is to be conducted on the drugs themselves, applicants/recipients must ensure that the DEA requirements, including registration, inspection, and certification, as applicable, are met. Regional DEA offices can supply forms and information concerning the type of registration required for a particular substance for research use. The main registration office in Washington, DC, may be reached at 800-882-9539. Information also is available from the National Institute on Drug Abuse at 301-443-6300. (US DHHS Grants Policy Statement, dated 1/2007, p.11-19); Acknowledgement of Federal Funding (US DHHS Grants Policy Statement, dated 1/2007, p 11-23) and Limited English Proficiency (US DHHS Grants Policy Statement, dated 1/2007, p. 11-23).

### **Certification –Acknowledgement of Federal Funding**

As required by HHS appropriations acts, all HHS recipients must acknowledge Federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds. Recipients are required to state (1) the percentage and dollar amounts of the total program or project costs financed with Federal funds and (2) the percentage and dollar amount of the total costs financed by nongovernmental sources.

### **Certification –Limited English Proficiency**

Recipients of Federal financial assistance must take reasonable steps to ensure that people with limited English proficiency have meaningful access to health and social services and that there is effective communication between the service provider and individuals with limited English proficiency. To clarify existing legal requirements, HHS published “Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons.” This guidance, which is available at <http://www.hhs.gov/ocr/lep/revisedlep.html>, provides a description of the factors that recipients should consider in determining and fulfilling their responsibilities to individuals with limited English proficiency under Title VI of the Civil Rights Act of 1964.

### **Certification –General Terms and Conditions**

It is understood and agreed by the Project Director and the Authorizing Official that any grant received as a result of this application is subject to the Strategic Prevention Framework State Incentive Grant Program General Terms and Conditions, incorporated here by reference.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE	
GRANTEE ORGANIZATION		DATE SUBMITTED